

**REMARKS**

Reconsideration is requested.

Claims 1-69, 74, 75, 78, 79, 82, 85, 91, 93, 95, 100 and 103, have been canceled, without prejudice.

Claims 70-73, 76, 77, 80, 81, 83, 84, 86-90, 92, 94, 96-99, 101, 102 and 104-106 are pending. Claims 71-73, 76, 81, 83, 84, 88-90, 94, 98 and 104-106 have been withdrawn from consideration.

Rejoinder and allowance of any claim defining a method of making and/or using a product defined by an allowable claim, at an appropriate time, are requested.

Rejoinder and allowance of all the claimed subject matter are requested.

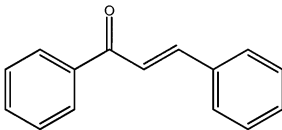
Claims 80, 86, 87, 92, 96, 97 and 102 are listed on page 1 of the Office Action dated December 28, 2009 as being "objected to". No specific objection to or rejection of claims 80, 86, 87, 92, 96, 97 and 102 are specifically stated however in the Office Action. Clarification is requested.

While not believed to be required, the claims have been amended, without prejudice, to advance prosecution.

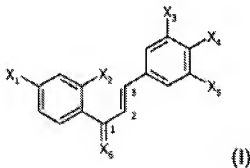
The Section 102 rejection of the "Claims" over Pond (CAS database CAPLUS 1906:1190, RN 94-41-7) is traversed. A copy of the complete reference is filed herewith and listed on the attached PTO 1449 Form. Clarification as to the specific claims which are rejected is requested. Page 1 of the Office Action dated December 28, 2009 indicates that claims 70, 77, 78, 85, 99 and 101 "are rejected". As the Section 102 rejection is the only remaining rejection, the applicants presume the Section 102

rejection refers to claims 70, 77, 78, 85, 99 and 101. Clarification is requested if the presumption is not correct. Reconsideration and withdrawal of the rejection are requested in view of the following distinguishing remarks.

The cited abstract describes the compound Benzylidene acetophenone (also known as Chalcone, Chalkone and Phenyl styryl ketone), which has the following structure:



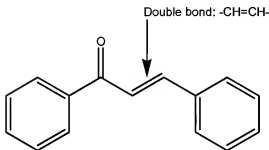
The compounds of the unamended claims have the following structure:



, wherein X<sub>3</sub>, X<sub>4</sub> and X<sub>5</sub> are not hydrogen. As the compound of the cited Abstract requires, at least, a hydrogen atom in positions corresponding to X<sub>3</sub>, X<sub>4</sub> and X<sub>5</sub> of formula (I) of the claims and the claimed invention specifically excludes compounds wherein X<sub>3</sub>, X<sub>4</sub> and X<sub>5</sub> of formula (I) of the

claims is hydrogen, then the cited Abstract fails to teach each and every aspect of the claimed invention. The claims are not anticipated by the cited art.

The applicants further note that the only compound having the following backbone in Pond et al.:



is described on page 666, under the title "Experimental". The other compounds disclosed in Pond et al. contain a substituent on one carbon atom of the double bond, such as:

-C(OH)=CH-, -CBr=CH-, or -C(OCH<sub>3</sub>)=CH-, which is not the case in compounds of the claims.

Further, the claimed compounds necessarily comprise a group 1 substitution (i.e., -COOR<sub>6</sub> or -CONR<sub>6</sub>R<sub>7</sub>). The compound disclosed on page 666 of the complete Pond reference does not contain a group 1 substitution (i.e., -COOR<sub>6</sub> or -CONR<sub>6</sub>R<sub>7</sub>) of the claims and X3 and X5 of this compound are hydrogen atoms.

Withdrawal of the Section 102 rejection is requested.

NAJIB et al  
Appl. No. 10/520,079  
Atty. Ref.: 3665-129  
Amendment  
January 14, 2010

The claims are submitted to be in condition for allowance and a Notice to that effect is requested. The undersigned telephoned the Examiner on January 6, 2010 to discuss the Office Action of December 28, 2009. The Examiner's telephone message indicated that the Examiner was away from the office until January 10, 2010. The Examiner is requested to contact the undersigned, preferably by telephone, in the event anything further is required to place the application in condition for allowance.

Respectfully submitted,

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